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7 Attorney for Plaintiff  
8 DENICE DIXON

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 DENICE DIXON,

12 Plaintiff,

13 v.

14 UNITED STATES POSTAL SERVICE and  
15 METROPOLITAN LIFE INSURANCE  
16 COMPANY,

17 Defendants.

Case No.: CO9-01694 CRB

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO DISMISS DEFENDANT  
METROPOLITAN LIFE INSURANCE  
COMPANY WITHOUT PREJUDICE**

18 The parties, Plaintiff Denice Dixon ("Plaintiff") and Defendant Metropolitan Life Insurance  
19 Company ("MetLife"), by and through their counsel stipulate to the following:

20 WHEREAS, Plaintiff filed her complaint on April 17, 2009, naming the Office of Federal  
21 Employees' Group Life Insurance, an administrative division of MetLife, as one of the defendants;

22 WHEREAS, on October 1, 2009, Plaintiff amended her complaint to change the name of  
23 Defendant Office of Federal Employees Group Life Insurance "OFEGLI" to read  
24 Metropolitan Life Insurance Company;

25 WHEREAS, Plaintiff has agreed to dismiss MetLife and all claims against MetLife  
26 without prejudice;  
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2 It is agreed and stipulated that Defendant MetLife and all claims alleged against it  
3 are dismissed without prejudice, with each party to bear their own costs.  
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5  
6 Dated: 12/18/2009

Morton, Lulofs & Wood LLP

7 By Larry E. Lulofs  
8 Larry E. Lulofs, Attorneys for Plaintiff

9 Dated: \_\_\_\_\_

Office of the United States Attorney

10  
11 By \_\_\_\_\_  
12 Melissa K. Brown, Attorneys for USPS

13 Dated: 12/18/2009

K & L Gates, LLP

14 By Linda G. Moore  
15 Linda G. Moore, Attorneys for MetLife

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18 So Ordered  
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~~PROPOSED~~ ORDER

The Court orders that Defendant Metropolitan Life Insurance Company and all claims alleged against it are dismissed without prejudice and that the parties are to bear their own costs.

DATED: Dec. 18, 2009

  
UNITED STATES DISTRICT  
JUDGE CHARLES R. BREYER